

REMARKS

Claims 1, 2, and 4-25 and 27 are pending in the application. Claim 26 has been cancelled and the features of the claim 26 have been added to independent claims 1, 22 and 24. Claim 3 was objected to under 37 CFR 1.75 as being a substantial duplicate of claim 2. In response, claim 3 has been canceled.

Claims 1-5, 7, 8, 10, 13, 15, 16, and 19-25 were rejected as being anticipated by U.S. published patent application 2002/0094787 to Avnet et al. Claims 6 and 11 were rejected as being obvious over Avnet in view of International Patent Publication WO 98/59506 to Emilson. Claim 8 was rejected as being obvious over Avnet in view of U.S. Patent 5,963,130 to Schlager. Claim 9 has been rejected as being obvious over Avnet in view of U.S. Patent 6,094,565 to Albert. Claims 12, 14, 17 and 18 has been rejected as being obvious over Avnet in view of U.S. Patent 6,212,570 to Hasebe. Each of these rejections is traversed in view of the amendments above, the remarks below, and the following attachments:

Attachments:

1. Verified Translation of Japanese Priority Document 190982/2000 filed June 26, 2000

2. U.S. Provisional Application Serial No. 60/195,548 filed April 7, 2000

3. U.S. Provisional Application Serial No. 60/196,756, filed April 12, 2000

With reference to Attachment 1, the above-identified application claims priority to January 26, 2000, and the certified English language translation demonstrates that the claimed invention was fully described in the Japanese priority document. For evidence of this please note that Figure 1 of the Japanese priority document is the same as Figure 2 of the above-identified application; Figure 2 of the Japanese priority document is the same as Figure 3 of the above-identified application; Figure 3 of the Japanese Priority document is the same as Figure 5 of the above-identified application; Figure 4 of the Japanese Priority document is the same as Figure 6 of the above-identified application; Figure 5 of the Japanese Priority document is the same as Figure 7 of the above-identified application; and Figure 6 of the Japanese Priority document is the same as Figure 8 of the above-identified patent application. The conventional systems shown in Figure 1 of the

above-identified application are discussed in the Japanese priority document at pages 13-15. The invention, as claimed in the above-identified application, is discussed in the Japanese Priority document beginning on page 21 under the heading "Means for solving the problem". In summary, the Verified Translation demonstrates each of the recited features now pending in the claims of the above-identified application.

With reference to Attachment 2, it can be seen that the U.S. Serial No. 60/195,548, to which Avnet claims priority is simply unrelated to that which is shown and discussed in the Avnet U.S. published patent application 2002/0094787. Thus, no priority should be accorded to the April 7, 2000 filing date of this Avnet provisional application.

With reference to Attachment 3, it can be seen that this reference lacks many of the teachings which first appear in the Avnet U.S. published patent application 2002/0094787. As such, and in view of the Attachments 1-3, Avnet U.S. published patent application 2002/0094787 is only a viable reference for features which are disclosed in US Serial No. 60/196,756 (as the present application's foreign priority date is prior to the filing date of U.S. published application 2002/0094787).

Independent claims 1, 22 and 24 have been amended to include the features of claim 26, which requires that the transmitting unit transmits information to the mobile terminal when the mobile terminal approaches the display unit. Specifically, claims 1, 22 and 24 have been amended to require that the transmitting unit transmits first information (e.g. advertising information) when the mobile terminal approaches the display unit. With reference to Attachment 3 (U.S. Serial No. 60/196,756), Avnet et al. does not teach or suggest transmitting information when the mobile unit (e.g. a personal handheld electronic device) approaches the display unit (e.g. billboard). Instead, Avnet et al. on page 1, first paragraph of the provisional application states: "It [the transmitted message] either may repeat continually in a loop for any and all receiving devices, or transmit a single message to a user in response to a prompt". This is very different from present claims 1 and 24 which, as amended, require that the information (message) is transmitted when the mobile terminal approaches the display or billboard. Avnet et al. in published patent application includes an identical teaching in paragraph [0006]. Nowhere does Avnet et al. teach or suggest that messages can be transmitted from the billboard when a

mobile unit approaches the billboard. Accordingly, the rejection of claims 1, 22 and 24 are traversed.

Claim 5 requires electric shielding that limits the range of the transmission to within the area of the shielding. The Office Action erroneously asserts that Avnet et al. (published application) at page 3, [0026] teaches electronic shielding by describing a “hardwired interface”. This is wrong. A hardwired interface is not electric shielding within which the mobile terminal must be located in order to receive the message. A hardwired interface is simply a cable connection. A hardwired interface does not and cannot provide electric shielding

Additionally, the hardwired interface described in [0026] is a link between the network server 30 and the transmission devices 12, not a link between the transmission devices and users 28 or receiving device 16. The present claim 5, by comparison, requires that the mobile terminal (i.e. receiving device) is disposed inside the electric shielding when transmission occurs. Avnet et al. does not teach or suggest in any way that electric shielding so that the mobile terminal must be within the shielded area to receive the message. Avnet et al. does not teach any kind of electric shielding.

The Avnet et al. provisional application of attachment 3 (USSN 60/196,756) also does not teach or suggest electric shielding, or electric shielding within which the mobile terminal (i.e. receiving device) must be located in order to receive the message.

Accordingly, the rejection of claim 5 is erroneous and must be withdrawn.

Claim 13 requires that the information distribution units be installed in a museum, for example to provide information about museum displays. The Avnet et al. provisional application of attachment 3 (USSN 60/196,756) does not teach or suggest installation in a museum. Accordingly, the rejection of claim 13 must be withdrawn.

The Emilson reference does not make up for the deficiencies of Avnet (attachment 3), as such no combination of Avnet and Emilson would make claims 6 or 11 obvious.

Claim 8 requires that the information distribution system (i.e. the billboard of Avnet et al.) include an indicator that visually indicates whether or not the message is being transmitted. Schlager et al. teaches a remote monitoring system for monitoring children and persons in dangerous locations. The monitoring system of Schlager et al.

does not include an information distribution unit. In Schlager et al. there is no information being distributed, and, hence, there is no motivation to combine the Schlager et al. teachings with the teachings of Avnet et al. Avnet et al is concerned with providing advertising and other commercial or educational information to users. There is no suggestion in Avnet et al. to use the system for emergency or safety purposes, and hence, there is no motivation for one skilled in the art to combine the teachings of Avnet et al. with remote monitoring device of Schlager et al.

U.S. Patent 6,094,565 to Albert does not make up for the deficiencies of Avnet (Attachment 3). As such, no combination of Avnet and Albert would make claim 9 obvious.

Claim 14 requires that information distribution units are installed in a zoo. The Office Action argues that Hasabe et al. teaches or suggest this feature. This is erroneous. Nowhere does Hasabe et al. teach or suggest locating information distribution units in a zoo. Hasabe et al. teach a system for selecting a single information distribution device from among a plurality of devices connected in a network. The device is selected so that the information is accessed from the logically closest device (see col. 3, lines 53-60). Hasabe et al. teaches a way of selecting the best single device (among a plurality of devices) to access for information. Col. 5, lines 63-65 of Hasabe et al., referenced in the Office Action, merely state that devices distributing information can be physically located in the same or different locations. Col. 11, lines 32-39, also referenced in the Office Action, teaches that a monitoring unit 41 63 can monitor "whether the information distribution device 60 is operating normally". Nowhere does Hasabe et al. teach or suggest that the devices can be located at a zoo. Hasabe et al. does not teach or suggest any particular application or location for an information distribution system.

Furthermore, Hasabe et al. is directed to different matters than are the subject of the present invention, and teaches away from the present invention. The present invention teaches an information distribution system coupled to a visual advertisement, while Hasabe et al. teach how to select a single information distribution device among many networked devices to access information.

Claim 18 requires that the information distribution unit provides a questionnaire to the user, and that the user responds to the questionnaire. The Avnet et al. provisional

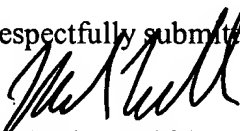
application 60/196,756 (attachment 3) does not teach or suggest a questionnaire, and does not teach or suggest in any way that the system can send queries or questions to the user. Accordingly, the rejection of claim 18 must be withdrawn.

5 In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1, 2, 4-25 and 27 be allowed, and that the application be passed to issue.

10 Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

15 A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees for the petition or for entry of this amendment to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

Respectfully submitted,



Michael E. Whitham
Reg. No. 32,635

Whitham, Curtis, & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
25 Reston, VA, 20190
Phone: 703-787-9400
Fax: 703-787-7557